

United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/681,820	10/08/2003	Tomoyuki Nakano	9319S-000558 6626 EXAMINER	
27572	7590 04/06/2005			
HARNESS, DICKEY & PIERCE, P.L.C. P.O. BOX 828			NGUYEN, DUNG T	
BLOOMFIELD HILLS, MI 48303			ART UNIT	PAPER NUMBER
			2871	
			DATE MAILED: 04/06/2005	

Please find below and/or attached an Office communication concerning this application or proceeding.

SM

	Application No.	Applicant(s)			
	10/681,820	NAKANO ET AL.			
Office Action Summary	Examiner	Art Unit			
•	Dung Nguyen	2871			
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply					
A SHORTENED STATUTORY PERIOD FOR REPLY THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply if NO period for reply is specified above, the maximum statutory period we Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	6(a). In no event, however, may a reply be tim within the statutory minimum of thirty (30) days ill apply and will expire SIX (6) MONTHS from to cause the application to become ABANDONED	ely filed s will be considered timely. the mailing date of this communication. O (35 U.S.C. § 133).			
Status					
1) Responsive to communication(s) filed on					
2a) ☐ This action is FINAL . 2b) ☒ This	This action is FINAL . 2b)⊠ This action is non-final.				
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is					
closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.					
Disposition of Claims					
4)⊠ Claim(s) <u>1-12</u> is/are pending in the application.					
4a) Of the above claim(s) is/are withdrawn from consideration.					
5) Claim(s) is/are allowed.					
6)⊠ Claim(s) <u>1-12</u> is/are rejected.					
7) Claim(s) is/are objected to.					
8) Claim(s) are subject to restriction and/or election requirement.					
Application Papers					
9) The specification is objected to by the Examiner.					
10)☐ The drawing(s) filed on is/are: a)☐ accepted or b)☐ objected to by the Examiner.					
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).					
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).					
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.					
Priority under 35 U.S.C. § 119					
12)⊠ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a)⊠ All b)□ Some * c)□ None of:					
 Certified copies of the priority documents have been received. 					
2. Certified copies of the priority documents have been received in Application No					
3. Copies of the certified copies of the priority documents have been received in this National Stage					
application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.					
Attachment(s)					
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 4) Interview Summary (PTO-413) Paper No(s)/Mail Date					
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	5) Notice of Informal P	atent Application (PTO-152)			
Paper No(s)/Mail Date <u>10/08/03</u> . 6)					

Application/Control Number: 10/681,820 Page 2

Art Unit: 2871

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

2. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.
- 4. Claims 1-3, 6-12 are rejected under 35 U.S.C 102(e) as being anticipated by Nakamura et al., US Patent Application Publication No. 2004/0095528 A1.

The above claims are anticipated by Nakamura et al. figures 1A-2 and 11A-11C, which disclose an electrooptic device (liquid crystal display LCD) comprising:

a plurality of pixels (pixel regions), each including an electrooptic material (liquid crystal layer);

Application/Control Number: 10/681,820

Art Unit: 2871

a transflective layer (pixel electrode PXL) having a reflecting section (R) and a transmitting section (T);

- . a colored layer (CFT/CFR) superimposed on the transflective layer;
- . a (two-dimensional shaped) opening (CFW) as claimed.

It should be noted that the method of for manufacturing the device is merely a list of forming each component and each component must be formed to make the device; therefore, the method of for manufacturing would be inherent to the device.

Claim Rejections - 35 USC § 103

- 5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 6. Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakamura et al., US Patent Application Publication No. 2004/0095528 A1.

Regarding claims 4-5, Nakamura et al. disclose the claimed invention as described above except for a polygonal shaped opening. It would have been an obvious to one having ordinary skill in the art at the time the invention was made to employ a polygonal two-dimensional shape opening in the Nakamura color filter since the examiner takes Office Notice of the equivalence of the polygonal opening and the opening having no corner (e.g. circular opening) for their use in the LCD art and the selection of any of these known equivalents for the purposes of color adjusting would be within the level of ordinary skill in the art.

Art Unit: 2871

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung Nguyen whose telephone number is 571-272-2297. The examiner can normally be reached on Tuesday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert H. Kim can be reached on 571-272-2293. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 86\$5-217-9\$797 (toll-free).

DN 04/02/05

Dung Nguyen
Primary Examiner
Art Unit 2871